

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

SDN LIMITED and STEVEN NERAYOFF,

Plaintiffs,

v.

IOV LABS LIMITED, RIF LABS LIMITED, RSK
LABS LIMITED, DIEGO GUTIERREZ ZALDIVAR,
and ALEJANDRO MARIA ABERG COBO a/k/a ALEX
COBO,

Defendants.

Case No. 24-cv-06089-JMA-AYS

**DECLARATION OF
CHRISTOPHER A. OTT IN
SUPPORT OF LOEB & LOEB
LLP'S MOTION TO
WITHDRAW**

I, **CHRISTOPHER A. OTT**, hereby declare and state as follows:

1. I am a partner of Loeb & Loeb LLP ('Loeb'). I am primarily responsible for Loeb's engagement by Plaintiff Steven Nerayoff and his related companies.

2. Pursuant to the Court's December 18, 2024 Text Order, I respectfully submit this declaration in support Loeb's motion for the entry of an Order, pursuant to Local Civil Rule 1.4: (1) permitting Loeb to withdraw as counsel of record for as counsel for Plaintiffs SDN Limited and Steven Nerayoff (collectively, "Plaintiffs") and discontinuing noticing to Loeb through the CM/ECF system; and (2) temporarily staying all further proceedings in this action to allow Plaintiffs time to retain new counsel.

BACKGROUND

3. Plaintiffs initiated this case before the Supreme Court of New York by filing a Summons With Notice pursuant to CPLR 305(b) on May 3, 2024. On August 30, 2024, certain of the Defendants removed the action to this Court. *See* Dkt. 1-2. In accordance with the directives of this Court, Plaintiffs filed their Complaint on November 5, 2024. *See* Dkt. 21.

4. By letter dated November 26, 2024, Defendants requested a pre-motion conference concerning Defendants' anticipated motion to dismiss the Complaint, or in the alternative, to compel arbitration. See Dkt. 22. No pre-motion conference has yet been scheduled.

5. Following numerous discussions with Mr. Nerayoff concerning the litigation of this action, on December 16, 2024, Mr. Nerayoff (for himself and on behalf of his company, Plaintiff SDN Limited) relieved Loeb & Loeb LLP of its services as counsel in respect to this action. *See* Dkt. 26.


6. I advised Mr. Nerayoff of the requirement that SDN Limited be represented by counsel in the action, and he advised me that it was Plaintiffs' intent to engage substitute counsel.

CONCLUSION

For the foregoing reasons, Loeb respectfully requests that the Court issue an Order: (1) permitting Loeb to withdraw as counsel of record for Plaintiffs and discontinuing noticing to Loeb through the CM/ECF system; and (2) staying all further proceedings in this action for a period of 30 days after notice to appoint another attorney has been served upon Plaintiffs as directed by Order of this Court; and (3) granting such other and further relief as the Court deems just and proper.

Pursuant to 28 U.S.C. § 1746, I declare under penalties of perjury that the foregoing is true and correct.

Dated: January 3, 2025

A handwritten signature in black ink, appearing to read "Christopher A. Ott", written over a horizontal line.

Christopher A. Ott (cott@loeb.com)
Loeb & Loeb LLP